

**REMARKS**

Claims 6-10 and 12-13 are currently pending in the present application.

**Rejection under 35 U.S.C. § 103**

Claims 6-10 and 12-13 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Ferry et al.* (US 6,150,798) in view of *Schaffer* (US 5,498,984). Applicant respectfully traverses such rejection.

Claim 6 recites "a detecting circuit for activating either said first power supply circuit or said second power supply circuit to convert said input voltage to said output voltage based on an amount of current supplied to said first and second power supply circuits."

On pages 3-4 of the Office Action, the Examiner addresses the claimed detecting circuit with respect to Claim 1. Since Claim 1 has been cancelled, Applicant assumes that the Examiner intends to address the claimed detecting circuit with respect to Claim 6.

Specifically, on page 3 of the Office Action, the Examiner asserts that the claimed detecting circuit is disclosed by *Ferry* in col. 6, lines 44-51. According to *Ferry*, it is preferable to "use signals available within the load to control the regulator" (col. 6, lines 31-32). However, ~~the claimed detecting circuit makes its selection based on the amount of current supplied to a first~~ power supply circuit and a second power supply circuit, and not based on signals available within the load, as disclosed by *Ferry*. In addition, *Ferry*'s voltage regulator has three possible operating modes other than the switched-mode power supply operation (col. 6, lines 36-38), and the THRU mode as described in col. 6, lines 44-51 is one of the three possible operating modes. According to *Ferry*, the THRU mode can be used if an output terminal S is only connected to an input of a step-down post-regulator of voltage  $V_{out}$  or to inputs of post-regulators of such type (col. 6, lines 39-42). Thus, it is clear that the THRU mode is not related to the claimed detecting circuit.

The Examiner states that *Ferry* does not teach an activation of either the first or the second power supply circuit based on an amount of current supplied to the first and second power supply circuits. But the Examiner then asserts that it is well-known in the art to use a current sense amplifier to measure the amount of current supplied to a power supply in various types of electronic equipment, such as the one disclosed by *Schaffer*.

Regardless of whether it is well-known in the art to use a current sense amplifier to perform the function as described by the Examiner, the Examiner still has not established the *prima facie* of obviousness for the purpose of § 103 rejection. As mentioned previously, *Ferry* teaches the usage of signals available within a load for activation. In contrast, the claimed invention uses the amount of current supplied to the first and second power supply circuits for activation. Thus, it is apparent that one of the reasons the Examiner arrived at the above-mentioned assertion is that the Examiner had reconstructed the claimed invention from the prior art by using Applicant's claim as a "blueprint." The Examiner cannot use hindsight reconstruction to pick and choose among disclosures in the prior art to make the § 103 rejection. Because the cited references, whether considered separately or in combination, do not teach or suggest the claimed invention, the § 103 rejection is believed to be overcome.

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**CONCLUSION**

Claims 6-10 and 12-13 are currently pending in the present application. For the reasons stated above, Applicant believes that independent Claim 6 along with its dependent claims are in condition for allowance.

No fee or extension of time is believed to be necessary; however, in the event that any fee or extension of time is required for the prosecution of this application, please charge it against IBM Deposit Account No. 50-0563.

Respectfully submitted,



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